

[DISCUSSION DRAFT]

116TH CONGRESS
1ST SESSION

H. R. _____

To amend the Truth in Lending Act to require Property Assessed Clean Energy financiers to receive the consent of mortgage holders before providing financing.

IN THE HOUSE OF REPRESENTATIVES

Mr. SHERMAN introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Truth in Lending Act to require Property Assessed Clean Energy financiers to receive the consent of mortgage holders before providing financing.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Improving Federal
5 Oversight of PACE Financing Act of 2019”.

1 **SEC. 2. PROPERTY ASSESSED CLEAN ENERGY FINANCING**
2 **CONSENT REQUIREMENT.**

3 Section 128 of the Truth in Lending Act (15 U.S.C.
4 1638) is amended by adding at the end the following:

5 “(g) **PROPERTY ASSESSED CLEAN ENERGY FINANC-**
6 **ING CONSENT REQUIREMENT.**—

7 “(1) **IN GENERAL.**—With respect to a dwelling
8 of a consumer that is the subject of a residential
9 mortgage loan, it shall be unlawful to extend Prop-
10 erty Assessed Clean Energy financing with respect
11 to such dwelling without first receiving the consent
12 of the applicable creditor, assignee, or servicer of the
13 residential mortgage loan.

14 “(2) **DEFINITION.**—In this subsection, the term
15 ‘Property Assessed Clean Energy financing’ has the
16 meaning given that term under section
17 129C(b)(3)(C)(i)”.